

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Isabel Cifarelli	Team: Squad #11	CCRB Case #: 201905317	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Tuesday, 01/01/2019 11:25 AM	Location of Incident: in front of § 87(2)(b)	Precinct: 88	18 Mo. SOL 7/1/2020	EO SOL 2/15/2021	
Date/Time CV Reported Thu, 05/30/2019 3:42 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Thu, 05/30/2019 3:42 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Neil Phillips	26622	965414	088 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. SGT Christophe Miron	01129	939047	088 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Neil Phillips	Abuse: Police Officer Neil Phillips seized § 87(2)(b) s	

Case Summary

On May 30, 2019, § 87(2)(b) filed this complaint over the phone with the CCRB, generating CCRB Case #§ 87(2)(b). On June 18, 2019, that case was split and this complaint was generated to address this incident. On October 31, 2019, this case was reassigned from Inv. Benjamin Shelton to the undersigned investigator § 87(2)(g).

On January 1, 2019, at approximately 11:25a.m., § 87(2)(b) received a visit from Sgt. Christopher Miron and PO Neil Phillips of the 88th Precinct in front of her residence at § 87(2)(b) in Brooklyn to address a complaint filed by § 87(2)(b) alleging that NYPD officers failed to make a report regarding ongoing harassment she was experiencing from an individual. § 87(2)(b) handed her passport to PO Phillips. PO Phillips inspected her passport and left the scene with Sgt. Miron, still in possession of § 87(2)(b)'s passport (**Allegation A: Abuse of Authority**, § 87(2)(g)). § 87(2)(b) went to retrieve her passport from the 88th Precinct at a later date and was told they had no record of her passport being seized.

No arrests were made and no summonses were issued during this incident.

No video footage was obtained by the investigation. On December 4, 2019, a request for body-worn camera footage was sent to the NYPD. On January 9, 2020, negative results were returned.

Findings and Recommendations

Allegation A – Abuse of Authority: Police Officer Neil Phillips seized § 87(2)(b)'s property.

§ 87(2)(b) stated that she handed her U.S. Passport to PO Phillips after Sgt. Miron instructed her to provide identification (BR 01-02). PO Phillips took possession of it and visually inspected it. § 87(2)(b) asked PO Phillips multiple times if he was done with her passport but both he and Sgt. Miron told her that they still needed it. Sgt. Miron told § 87(2)(b) that officers would contact her at a later date. PO Phillips and Sgt. Miron left the scene without returning § 87(2)(b)'s passport. She never received any follow-up calls or correspondence. A few weeks later when § 87(2)(b) went to the 88th Precinct stationhouse, an officer informed her that Sgt. Miron had retired weeks before January 1, 2019, and they had no record of her passport in police possession.

PO Phillips stated he asked for § 87(2)(b)'s identification after she explained her ongoing harassment and that she provided him with a passport (BR 03). PO Phillips used her identification to complete a Criminal Complaint Report (BR 04) and handed the passport back to § 87(2)(b) as soon as he had recorded her information. § 87(2)(b) placed the passport back in her bag or a pocket on her person. Neither he nor Sgt. Miron ever regained possession of her passport and they left the scene without § 87(2)(b)'s passport.

Sgt. Miron stated that the officers obtained § 87(2)(b)'s information to make the report but did not recall whether they obtained this information verbally or through photo identification (BR 05). Sgt. Miron did not recall § 87(2)(b) ever handing a U.S. Passport to PO Phillips. Neither Sgt. Miron nor PO Phillips ever handled any of § 87(2)(b)'s belongings without returning them to her.

A June 7, 2019 request to IAB on-site personnel for any property vouchers prepared in 2019 for such property belonging to § 87(2)(b) was returned with negative results (BR 06).

§ 87(2)(g)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Civilian and Officer CCRB Histories

- This is the second CCRB complaint to which § 87(2)(b) has been party (BR 07). § 87(2)(b)
- PO Phillips has been a member of service for one year and has been subject of two other allegations in one other CCRB complaint with no substantiations (see officer history). § 87(2)(g)

Mediation, Civil and Criminal Histories

- § 87(2)(b) declined to mediate this complaint.
- On August 9, 2019, the Office of the New York City Comptroller indicated that no Notices of Claim had been filed regarding this incident (BR 08)
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Squad No.: 11

Investigator:	_____	Inv. Isabel Cifarelli	_____
	Signature	Print Title & Name	Date
Squad Leader:	_____	IM Edwin Peña	_____
	Signature	Print Title & Name	Date
Reviewer:	_____	_____	_____
	Signature	Print Title & Name	Date